

PROB 12C
(7/93)

Report Date: July 24, 2014

United States District Court

FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

JUL 25 2014

Eastern District of Washington

SEAN F. McAVOY, CLERK
DEPUTY
RICHLAND, WASHINGTON

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: David Mejia Yanez

Case Number: 0980 2:11CR02103-001

Address of Offender: [REDACTED]

Name of Sentencing Judicial Officer: The Honorable Edward F. Shea, Senior U.S. District Judge

Date of Original Sentence: March 7, 2012

Original Offense: Ct. 1: Conspiracy and Aiding and Abetting, 18 U.S.C. §§ 371 & 2; Cts. 2-5: Transfer of False Identification Documents, 18 U.S.C. § 1028(a)(2); Cts. 6-9: Transfer of Unlawfully Issued Identification Documents, 18 U.S.C. § 1646(a); Ct. 10: Possession of an Unlawfully Issued Identification Document, 18 U.S.C. § 1546(a)

Original Sentence: Prison 6 months; TSR - 36 months

Type of Supervision: TSR

Asst. U.S. Attorney: Shawn N. Anderson

Date Supervision Commenced: November 19, 2013

Defense Attorney: Alison Klare Guernsey

Date Supervision Expires: October 4, 2015

 PETITIONING THE COURT

To issue a warrant.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1

Mandatory Condition # 2: The defendant shall not commit another Federal, state, or local crime.

Supporting Evidence: On July 22, 2014, the defendant appeared before a U.S. Magistrate Judge in the Southern District of Texas, Brownsville, Division and plead guilty to the offense of entering the United States illegally, in violation of 8 U.S.C. § 1325(a)(1), as charged in the complaint. He was sentenced to 10 days confinement and a \$10 special assessment, under case number 1:14-po-1327.

The report from the U.S. Department of Homeland Security indicates David Mejia Yanez was apprehended at the Harlingen, Texas, International Airport on July 21, 2014, by Border Patrol agents. The defendant presented in Arizona, identification number D05691451, at the TSA checkpoint, with the name of Pablo Orozco and claimed to be a citizen of the United States. After further questioning, Mr. Yanez freely admitted being in the United States illegally without any U.S. immigration documents that would allow him to be or remain in United States legally. Mr. Yanez was placed under arrest and transported to the Harlingen

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Border Patrol Station for processing. After being advised of his Miranda Rights, he admitted to illegally entering United States by wading across the Rio Grande River near Rio Grande City, Texas, on July 7, 2014, at approximately 0900 hrs. The defendant was not inspected by immigration officials and was not admitted legally by the Attorney General of the United States nor his successor, the commissioner of the Department of Homeland Security. Mr. Yanez is subject to removal and will be processed for a Reinstatement Prosecution under the provisions of the Immigration and Nationality act.

2

Special Condition # 14: You are prohibited from returning to the United States without advance legal permission from the United States Attorney General or his designee. Should you reenter the United States, you are required to report to the probation office within 72 hours of reentry.

Supporting Evidence: See violation #1.

The U.S. Probation Office respectfully recommends the Court issue a warrant for the arrest of the defendant to answer to the allegations contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: July 24, 2014

s/Stephen Krous

Stephen Krous
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
☒ The Issuance of a Warrant
☐ The Issuance of a Summons
☐ Other



Signature of Judicial Officer

July 24, 2014

Date